

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** MICHAEL DUVAL  
DEPUTY ATTORNEY GENERAL

**DATE:** MARCH 7, 2023

**SUBJECT:** IN THE MATTER OF IDAHO POWER COMPANY'S APPLICATION FOR APPROVAL OF A SECOND AMENDMENT OF THE ENERGY SALES AGREEMENT FOR THE SALE AND PURCHASE OF ELECTRIC ENERGY FROM THE TROUT-CO HYDRO PROJECT; CASE NO. IPC-E-23-04.

On February 16, 2023, Idaho Power Company ("Company") applied to the Commission requesting approval of the Second Amendment ("Amendment") to its Energy Sales Agreement ("ESA") with Michael Branchflower ("Seller") for the Trout-Co Hydro project ("Facility") located on Billingsley Creek near Hagerman, Idaho. The Amendment seeks to update the Seller's name in the ESA from "Branchflower" or "Michael Branchflower" to "Von Alan Industries, LLC". Application at 3.

### STAFF RECOMMENDATION

Staff recommends of the Commission issue a Notice of Application and Notice of Modified Procedure setting a 21-day public comment deadline and 7-day party reply deadline.

### COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a 21-day public comment deadline and 7-day party reply deadline?



Michael Duval  
Deputy Attorney General